IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

Writ Petition No.446l of 2004

Daulatram Navindram Shindhi.Petitioner
vs
Smt Kamalabai Waman Bhave
since deceased by LRs & ors..Respondents

Mr. Niranjan Shimpi for petitioner

CORAM: A.P.SHAH J.

Dated 25.l0.2005

P.C:

. Heard learned counsel for the petitioner. Perused the judgments of the courts below. Both the courts have recorded a finding that the ground of default has been established. There is no dispute that the petitioner was served with a demand notice dated 8.l0.l98l. It was served on the petitioner on 28.l0.l98l. The petitioner has not paid the arrears of rent within one month nor filed application for fixation of standard rent within the said period. The only defence was that he had paid the rent till December l982 to Anil Bhave, the son of the landlord. This defence was negatived by both the courts. No interference is, therefore, called for in exercise of jurisdiction under Art 227. Petition is dismissed.